



NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

WASHINGTON, D.C. 20570

FOR IMMEDIATE RELEASE
Monday, August 15, 1994

(R-2004)
202/273-1991

N.C. COURT GRANTS NLRB INJUNCTION REQUEST FOR BARGAINING ORDER AT JACK GRAY TRANSPORT

The National Labor Relations Board has obtained a temporary injunction from a federal district court in North Carolina, ordering Jack Gray Transport, Inc. of Greensboro to recognize and bargain with International Brotherhood of Teamsters (IBT) and to immediately offer reinstatement to 11 discharged employees.

The bargaining obligation was based upon a showing that a majority of the employees signed union authorization cards designating IBT Local 391 to represent them and bargain collectively on their behalf. The NLRB obtained the injunction under Section 10(j) of the National Labor Relations Act, which empowers it to petition a federal district court for injunctive relief to temporarily prevent unfair labor practices and to restore the status quo, pending full review of the case by the five-member Board. Judge N. Carlton Tilley, Jr. of the U.S. District Court for the Middle District of North Carolina issued his order in open court on August 8.

Since becoming General Counsel in March, Fred Feinstein has established as a priority identifying appropriate injunction cases such as this one so that employees are granted interim relief while the case is adjudicated before the NLRB. With the Board's authorization, the General Counsel has sought Section 10(j) relief in 47 cases, with a success rate to date, including settlements, of 91 percent, consistent with the historical rate.

General Counsel Feinstein stated: "We have asked our Regional Directors to identify all cases where injunctive relief is appropriate, to immediately investigate them, and then to bring them to my attention. I am pleased that Judge Tilley agreed with our position that an interim bargaining order was warranted here and that the 11 Jack Gray Transport employees who were unlawfully terminated for union activity should be reinstated immediately while the case is litigated before the NLRB."

Mr. Feinstein praised the work of the Winston-Salem, N.C. Regional Office staff in handling this case, especially litigation attorneys Patricia Timmins and Jasper Brown. He also commended attorney Karen Thornton, in the Division of Advice, Office of the General Counsel. Meanwhile, in an administrative proceeding before the Board, the Regional Office is seeking permanent reinstatement and full backpay for the discharged employees, an affirmative bargaining order on behalf of IBT Local 391, and a permanent cease-and-desist order.

The case arose when Jack Gray Transport employees sought representation by the Teamsters in early 1994. The company is in the business of transporting steel, iron and refuse. The NLRB complaint alleged that once Jack Gray Transport learned that the employees were supporting the Teamsters, management officials threatened them with loss of jobs unless they withdrew their support for the union; interrogated employees to determine their union sentiments; promised employees benefits if they would discontinue their support for the union; and discharged or laid off 11 of their 18 employees because they supported the union.

###